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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/579,956	02/20/2007	Mark Christopher Lindley	SWIN 3486	9290

7812 7590 10/11/2007
SMITH-HILL AND BEDELL, P.C.
16100 NW CORNELL ROAD, SUITE 220
BEAVERTON, OR 97006

EXAMINER

POPOVICS, ROBERT J

ART UNIT	PAPER NUMBER
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1797

MAIL DATE	DELIVERY MODE
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10/11/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/579,956

Applicant(s)

LINDLEY, MARK CHRISTOPHER

Examiner

Robert J. Popovics

Art Unit

1724

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 12-19 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 12-19 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

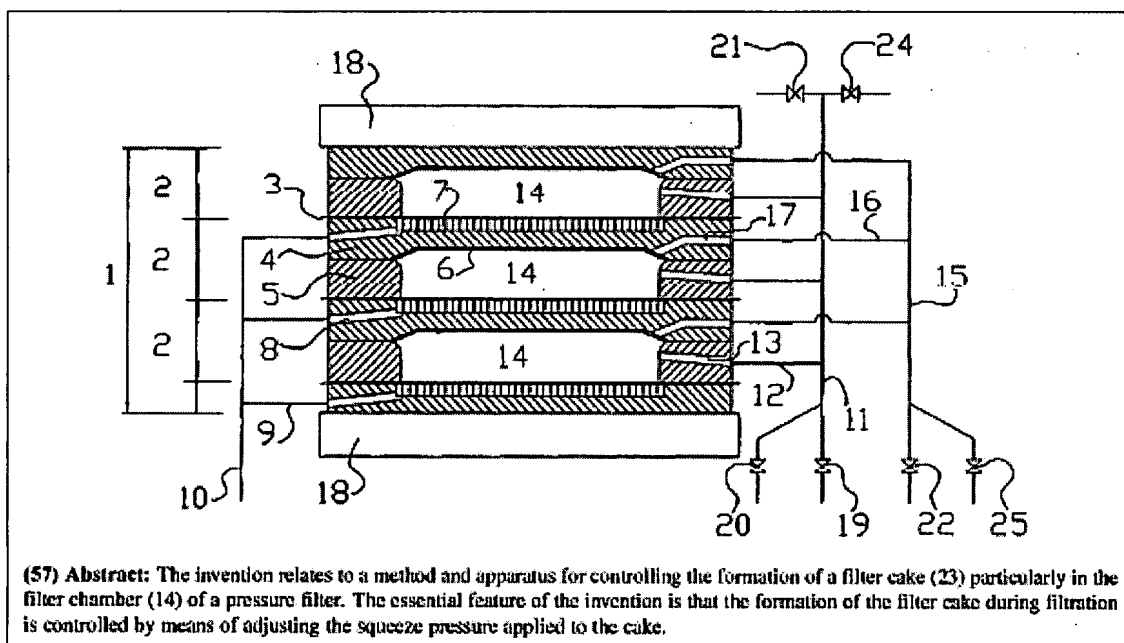
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>1/4/07</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION***Claim Rejections - 35 USC § 102/103***

Claims **12-19** are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over **WO/057344 A1**.



Referring to FIG. 1, a clamped filter plate stack 1 shown therein comprises a number of separate filter plates 2, having a filter cloth 3 draped therebetween. Typically, the filter plate 2 is formed by a bottom plate 4, a frame 5 and a flexible diaphragm 6, such as a rubber sheet, attached therebetween. The top surface of bottom plate 4 is covered by a drainage screen 7 that supports filter cloth 3 and thus facilitates the drainage of the liquid fraction, called the filtrate, separated from the slurry/sludge through the filter cloth into a drainage channel 8 situated at the top surface of the bottom plate 4 and therefrom further via a drainage hose 9 into a filtrate discharge pipe 10.

To a person versed in the art, it is obvious that the arrangement according to the invention is not limited by the above-described exemplifying embodiments, but rather may be varied within the inventive spirit and scope of the appended claims. Hence, the method according to the invention is applicable to both horizontal and vertical pressure filter constructions utilizing filter cake pressing by a squeezing diaphragm. Respectively, diaphragm squeeze can be accomplished using any pressurized medium, the most typical being compressed air or water, and even by mechanical means. The pressurized gas used in the final drying of the filter cake may be any type of gas applied at elevated pressure. Also the filter cake washing liquid can be any kind of liquid or even steam that is considered most compatible with the overall process.

It is submitted that this teaching meets the limitations of the claims.

Claim Rejections - 35 USC § 112

Claims **12-19** are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Use of the relative and subjective term “**high**” in claim 12 has rendered the claims vague and indefinite.

Claim Rejections - 35 USC § 102/103

Claim 12-19 are rejected under 35 U.S.C. 102(e) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over **Hildebrandt (US 2006/0032805)**.

A filter press (11) defined by a closable stack of filter plates defined by a first plurality of membrane filter plates (21) alternately disposed with a second plurality of heating-type filter plates (22). The membrane plates (21) have chamber-defining recesses on opposite sides thereof, with each recess (36) having a flexible membrane (39) associated therewith which can be pressurized from the rearward side so as to effect squeezing of the cake in the filtration chamber. Each heating plate (22) also has chamber-defining recesses (74) on opposite sides thereof, and the main center bottom wall (76) of each recess (74) has a metal heat transfer surface (77) associated therewith, the rear side of which is in intimate contact with a chamber or passage (79) which receives therein a high-temperature heat transfer fluid.

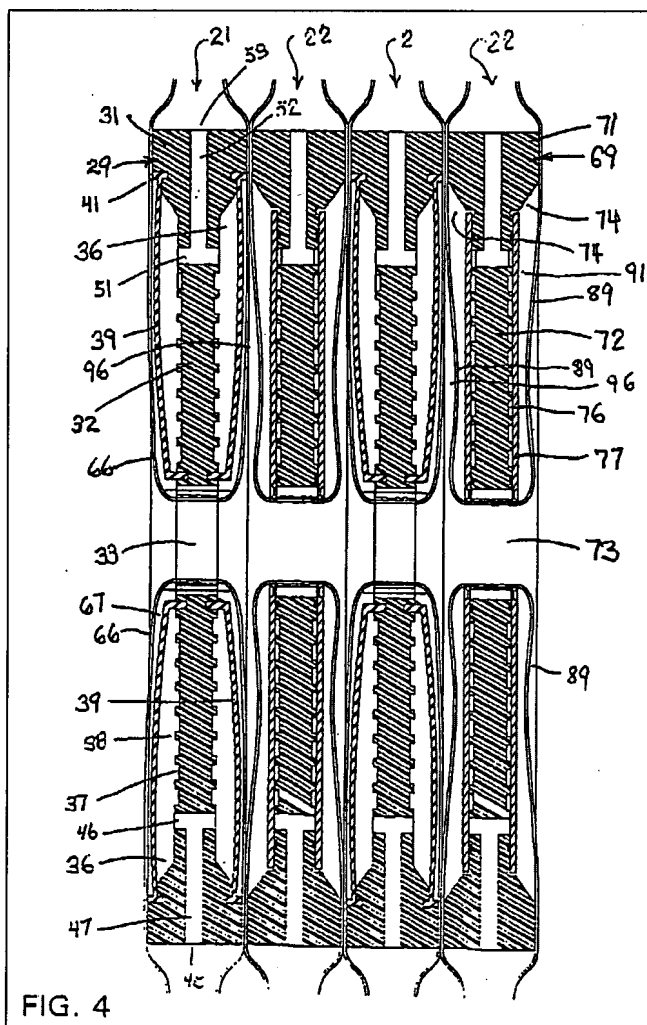
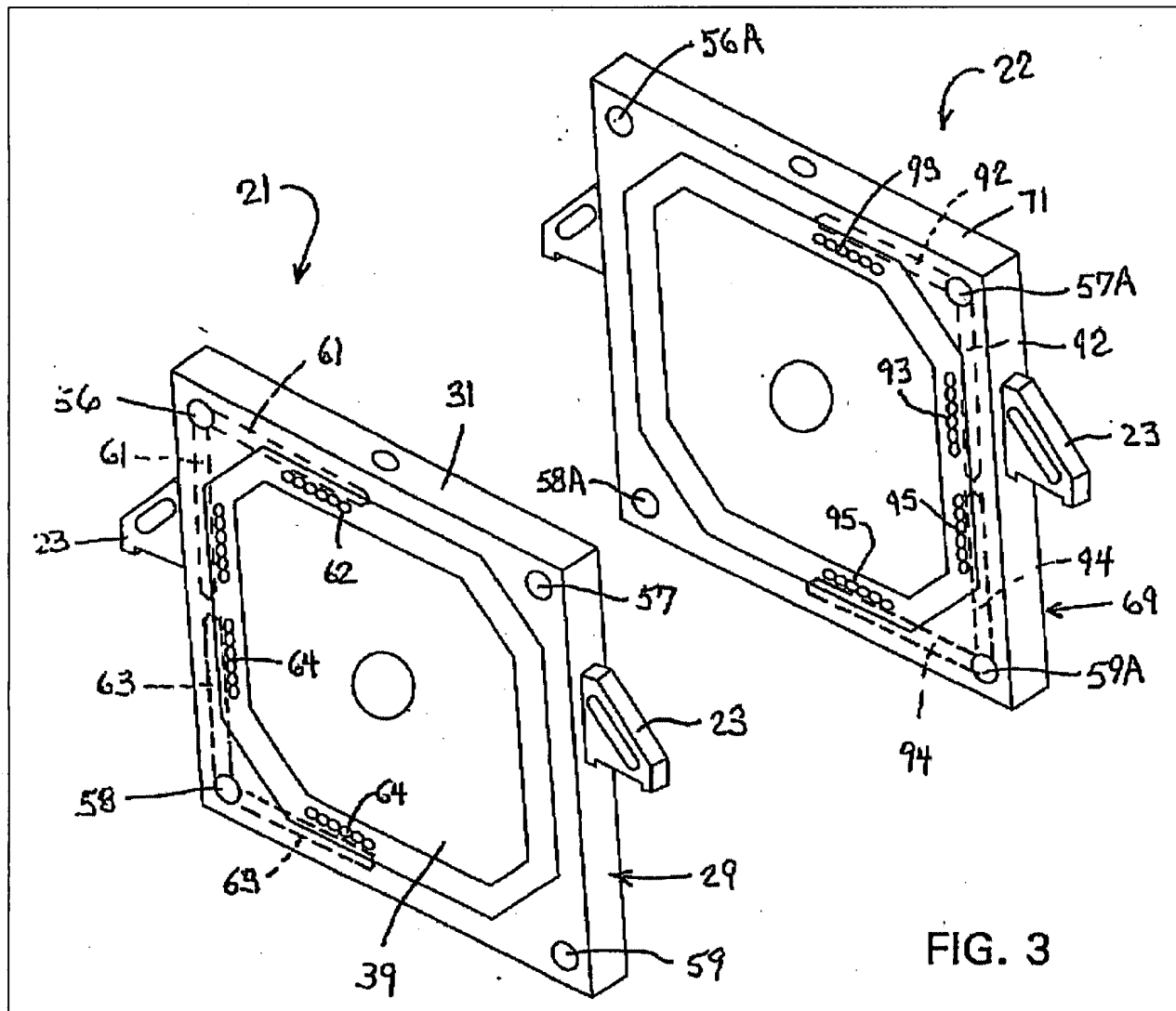


FIG. 4



Any inquiry concerning this communication should be directed to Robert J.

Popovics at telephone number (571) 272-1164.

1164.

[Handwritten signature]

Robert James Popovics
Primary Examiner
Art Unit 1724

